

SEVENTIETH DAY.

(Continued)

Senate Chamber,
Austin, Texas,
May 16, 1931.

The Senate met at 10 o'clock a. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

Simple Resolution No. 154.

Senator Small sent up the following resolution:

Whereas, it is a known and accepted fact that the oil industry of Texas is in a deplorable condition, and is facing serious dangers that threaten the very foundation of the industry as well as all allied forms of business; and

Whereas, the members of the Railroad Commission and the Attorney General are in position to best advise to Legislature as to what legislation is needed to relieve the distress and prevent, if possible, the impending disaster;

Therefore, be it resolved, by the Senate that the Railroad Commission and the Attorney General's Department be requested for a frank statement as to what legislation, if any, they recommend as best suited for the present.

SMALL.

The resolution was read.

Senator Purl sent up the following amendment:

Amend Small resolution by striking out the word "Attorney General."

PURL.

The amendment was read.

Senator DeBerry moved to refer the resolution to the Committee on State Affairs.

Senator Martin moved as a substitute to postpone the resolution indefinitely.

Senator Small received unanimous consent to withdraw the resolution.

Senators Excused.

Senators Moore, Russek, and Polard were excused for the day on account of important business on motion of Senator Neal.

Bill Introduced.

By an affirmative vote of four-fifths of the membership of the Senate, the constitutional rule relating to the introduction of General Bills during the last 90 days of the session was suspended and consent was granted to introduce the following bill:

By Senator Thomason:

S. B. No. 629, A bill to be entitled "An Act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; providing for visits to schools in the county and work in cooperation with teachers; prescribing the salary of said supervisor and how it shall be paid; providing other things incidental to said purpose; and declaring an emergency."

Read and referred to Committee on Educational Affairs.

Conference Committee Appointed.

The Chair announced the appointment of the following Senate Conference Committee on S. B. No. 31: Senators Williamson, Hopkins, Rawlings, Patton, and Parrish.

Motion to Concur.

On motion of Senator Woodward, the Senate concurred in the House amendment to S. C. R. No. 1.

H. C. R. No. 64.

The Chair laid before the Senate: H. C. R. No. 64, Authorizing certain corrections in H. B. No. 905.

Read and adopted.

Bills Signed.

The Chair, Lieutenant Governor Edgar E. Witt, gave notice of signing, and did sign, in the presence of th Senate, after their captions had been read, the following bills and resolution:

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| S. B. No. 35. | H. C. R. No. 57. |
| S. B. No. 136. | H. B. No. 335. |
| S. B. No. 582. | H. B. No. 336. |
| S. B. No. 157. | H. B. No. 964. |
| S. B. No. 72. | H. B. No. 818. |
| S. C. R. No. 51. | H. B. No. 480. |
| S. R. No. 150. | |

Messages From the House.

Hall of the House of Representatives,
Austin, Texas, May 16, 1931.
Hon. Edgar E. Witt, President of the
Senate.

Sir: I am directed by the House
to inform the Senate that the House
has passed the following resolution:

S. C. R. No. 52, Granting permis-
sion to the Honorable R. T. Wilkin-
son, Judge of the 76th Judicial Dis-
trict of Texas permission to leave
the State.

The House has refused to con-
cur in Senate amendments to H. B.
No. 950 and requests the appoint-
ment of a conference committee to
adjust the differences between the
two Houses. The following are ap-
pointed on the part of the House:

Wagstaff, Davis, Hardy, Metcalfe,
Burns of McCulloch.

The House concurred in Senate
amendments to H. B. No. 856 by a
viva voce vote.

The House has concurred in Senate
amendments to H. C. R. No. 58 by
a viva voce vote.

The House has concurred in Senate
amendments to H. B. No. 1026 by a
vote of 102 yeas and 0 nays.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, May 16, 1931.
Hon. Edgar E. Witt, President of the
Senate.

Sir: I am directed by the House
to inform the Senate that the House
has passed the following bills:

H. B. No. 10, A bill to be entitled
"An Act amending Article 3891 as
amended by House Bill No. 9, Chap-
ter 20, of the Fourth Called Session
of the Forty-first Legislature; re-
pealing all provisions of law in con-
flict with this Act, etc., and declaring
an emergency."

H. B. No. 768, A bill to be entitled
"An Act creating and providing a
uniform budget system for the State
and all counties, cities, towns, vil-
lages, independent school districts,
rural high school districts and com-
mon school districts; amending Arti-
cles 688 and 689, Chapter 6, Title 20
of the Revised Civil Statutes of Texas
for the year 1925, etc., and declar-
ing an emergency."

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Motion to Concur.

Senator Woodruff moved to concur
in the House amendments to S. B.
No. 410. The motion prevailed by
the following vote:

Yeas—28.

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| Beck. | Oneal. |
| Berkeley. | Parr. |
| Cousins. | Parrish. |
| Cunningham. | Patton. |
| DeBerry. | Poage. |
| Gainer. | Purl. |
| Greer. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hopkins. | Thomason. |
| Hornsby. | Williamson. |
| Loy. | Woodruff. |
| Martin. | Woodul. |
| Neal. | Woodward. |

Absent—Excused.

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| Moore. | Russek. |
| Pollard. | |

Conference Committees Appointed.

The Chair announced the appoint-
ment of the following committees:

Senate Conference Committee on
S. B. No. 5: Senators Purl, Hornsby,
DeBerry, Woodward and Loy.

Senate Conference Committee on
H. B. No. 150: Senators Hornsby,
Martin, Neal, Rawlings, and Poage.

House Bill Referred.

H. B. No. 10 referred to Com-
mittee on State Affairs.

Conference Committee Report.

Senator Purl sent up the following
Conference Committee report:

Committee Room,

Austin, Texas, May 15, 1931.

Hon. Edgar E. Witt, President of the
Senate.

Hon. Fred H. Minor, Speaker of the
House of Representatives.

Gentlemen: The undersigned Free
Conference Committee, appointed to
consider the differences between the
House and Senate on Senate Bill No.
83, beg leave to report as follows:

We recommend that House Amend-
ment No. 1 and House Amendment
No. 2 and House Amendment No. 3
be not adopted.

We recommend that the bill be
amended by striking out the words

"who shall be a certified public accountant" in lines 34 and 35, page 3; and that House Amendments No. 4 and No. 5 be not adopted.

We recommend that in lieu of House Amendment No. 6 the figures \$6,000.00 be substituted for the figures \$7,500.00 in line 34, page 4, Section 3; and that in lieu of House Amendment No. 7 the figures \$333.33 be substituted for the figures \$400.00 in line 25 of Section 3, page 4; and that Amendment No. 8 be not adopted.

We recommend that the bill be amended by adding a new Section to be known as Section 3-A as follows:

"3A. Each examiner and assistant examiner, before entering upon the duties of his appointment shall take and file in the office of the Secretary of State an oath to support the Constitution of this State, to faithfully demean himself in office, to make fair and impartial examinations, and that he will not accept as presents or emoluments any pay, directly or indirectly, for the discharge of his duty, other than the remuneration fixed and accorded to him by law, and that he will not reveal the condition of, nor any information secured in the course of any examination of any corporation, firm or person examined by him, to anyone except the Members of the Board of Insurance Commissioners, or their authorized representative, or when required as witness in Court.

Every such examiner shall enter into a bond payable to the State in the sum of \$10,000.00 and every assistant examiner shall enter into a bond in the sum of \$5,000.00, to be approved by the Commissioner and deposited in the office of the State Comptroller, conditioned that he will faithfully perform his duties as such examiner.

In case any such examiner or assistant examiner shall knowingly make any false report or give any information in violation of law relative to any such examination of any corporation, firm or person so examined, any such corporation, firm or person shall have a right of action on such bond for his injuries, in a suit brought in the name of the State at the relation of the injured party."

We recommend that the words "every assistant examiner shall be an expert accountant and must have had

at least five years practical experience" at the end of Section 3 be stricken out.

We recommend that a new Section be added to the bill to be known as 3B to read as follows:

"3B. All sums collected in purchase of this Act and paid into the Insurance Examination Fund are hereby appropriated for the payment of the salaries and expenses provided for in this Act for the fiscal years ending August 31, 1932 and 1933, respectively."

We recommend that the caption of the bill be amended to read as follows:

"A BILL

To Be Entitled

An Act amending Articles 3930 and 4690 of the Revised Civil Statutes of Texas, 1925; and providing for the appointment of Insurance Examiner and assistants and of an Actuary by the Chairman of the Board of Insurance Commissioners; and requiring such Examiner and assistants to give bond; and providing for the examination of all corporations, firms or persons transacting insurance business of any kind in this State; and for assessing and collecting the cost of such examination and of complying with this Act, and with the laws relating to such examination, and making appropriations therefor; and declaring an emergency."

Respectfully submitted,

PURL,
HOLBROOK,
STEVENSON,
WOODRUFF,

On the part of the Senate.

McCOMBS,
BELFORD,
SAVAGE,
TERRELL, Val Verde,
LEMENS,

On the part of the House.

Read and adopted by the following vote:

Yeas—28.

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| Beck. | Greer. |
| Berkeley. | Hardin. |
| Cousins. | Holbrook. |
| Cunningham. | Hopkins. |
| DeBerry. | Hornsby. |
| Gainer. | Loy. |

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| Martin. | Rawlings. |
| Neal. | Small. |
| Oneal. | Stevenson. |
| Parr. | Thomason. |
| Parrish. | Williamson. |
| Patton. | Woodruff. |
| Poage. | Woodul. |
| Purl. | Woodward. |

Absent—Excused.

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| Moore. | Russek. |
| Pollard. | |

Motion to Concur.

Senator Hornsby moved to concur in House amendments to S. B. No. 5.

Senator Purl moved as a substitute that the Senate not concur in the amendments and ask for a Conference Committee. The substitute motion prevailed.

House Bill No. 251.

The question recurred upon the pending amendment to the Committee amendment to H. B. No. 251. The amendment to the amendment was adopted.

The Committee amendment as amended was adopted.

Senator Holbrook sent up the following amendment:

Amend Substitute for House Bill 251, by striking out in Section 1, subdivision 4, sub-sections 1 and 3, under "C", and insert in lieu thereof the following:

"Vendors of literature or traveling vendors of fruit trees or farm or dairy products or poultry or live stock, meats or vegetables, or fruits, or other country or agricultural products."

HOLBROOK.

The amendment was read.

Motion to Concur.

Senator Cousins moved to concur in House amendments to S. B. No. 506. The motion prevailed by the following vote:

Yeas—28.

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| Beck. | Holbrook. |
| Berkeley. | Hopkins. |
| Cousins. | Hornsby. |
| Cunningham. | Loy. |
| DeBerry. | Martin. |
| Gainer. | Neal. |
| Greer. | Oneal. |
| Hardin. | Parr. |

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| Parrish. | Stevenson. |
| Patton. | Thomason. |
| Poage. | Williamson. |
| Purl. | Woodruff. |
| Rawlings. | Woodul. |
| Small. | Woodward. |

Absent—Excused.

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| Moore. | Russek. |
| Pollard. | |

On motion of Senator Hardin, the Senate concurred in House amendments to S. B. No. 603 by the following vote:

Yeas—28.

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| Beck. | Oneal. |
| Berkeley. | Parr. |
| Cousins. | Parrish. |
| Cunningham. | Patton. |
| DeBerry. | Poage. |
| Gainer. | Purl. |
| Greer. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hopkins. | Thomason. |
| Hornsby. | Williamson. |
| Loy. | Woodruff. |
| Martin. | Woodul. |
| Neal. | Woodward. |

Absent—Excused.

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| Moore. | Russek. |
| Pollard. | |

House Bill No. 434.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Metcalfe:

H. B. No. 434, A bill to be entitled "An Act amending Chapter 92 of the Acts of the First Called Session of the Forty-first Legislature of the State of Texas, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Woodward, the constitutional rule requiring bills to be read on three several days was suspended and H. B. 434 was put on its third reading and final passage, by the following vote.

Yeas—28.

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|-------------|-----------|
| Beck. | Greer. |
| Berkeley. | Hardin. |
| Cousins. | Holbrook. |
| Cunningham. | Hopkins. |
| DeBerry. | Hornsby. |
| Gainer. | Loy. |

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| Martin. | Rawlings. |
| Neal. | Small. |
| Oneal. | Stevenson. |
| Parr. | Thomason. |
| Parrish. | Williamson. |
| Patton. | Woodruff. |
| Poage. | Woodul. |
| Purl. | Woodward. |

Absent—Excused.

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| Moore. | Russek. |
| Pollard. | |

Read third time and finally passed by the following vote:

Yeas—28.

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|-------------|-------------|
| Beck. | Oneal. |
| Berkeley. | Parr. |
| Cousins. | Parrish. |
| Cunningham. | Patton. |
| DeBerry. | Poage. |
| Gainer. | Purl. |
| Greer. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hopkins. | Thomason. |
| Hornsby. | Williamson. |
| Loy. | Woodruff. |
| Martin. | Woodul. |
| Neal. | Woodward. |

Absent—Excused.

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| Moore. | Russek. |
| Pollard. | |

Recess.

Senator Cousins moved to recess until 2 o'clock p. m.

Senator Williamson moved to recess until 1:30 o'clock p. m.

The motion to recess until 2 p. m. was lost.

The motion to recess until 1:30 p. m. prevailed, and at 12:05 o'clock p. m. the Senate recessed.

After Recess.

The Senate met at 1:30 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

Senate Bill No. 628.

The Chair laid before the Senate on its second reading the following bill:

By Senator Williamson:

S. B. No. 628, A bill to be entitled "An Act to amend Article 602 of the Penal Code, as amended, making

it an offense for any husband to wilfully desert, neglect or refuse to provide for the support and maintenance of his wife, who may be in necessitous circumstances, or any parent who shall wilfully desert, neglect, or refuse to provide for the support and maintenance of any child, under a certain age; prescribing fines, penalties, and punishment; and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Williamson, the constitutional rule requiring bills to be read on three several days was suspended and S. B. 628 was put on its third reading and final passage, by the following vote:

Yeas—28.

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| Beck. | Oneal. |
| Berkeley. | Parr. |
| Cousins. | Parrish. |
| Cunningham. | Patton. |
| DeBerry. | Poage. |
| Gainer. | Purl. |
| Greer. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hopkins. | Thomason. |
| Hornsby. | Williamson. |
| Loy. | Woodruff. |
| Martin. | Woodul. |
| Neal. | Woodward. |

Absent—Excused.

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|----------|---------|
| Moore. | Russek. |
| Pollard. | |

Read third time and finally passed by the following vote:

Yeas—28.

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|-------------|-------------|
| Beck. | Oneal. |
| Berkeley. | Parr. |
| Cousins. | Parrish. |
| Cunningham. | Patton. |
| DeBerry. | Poage. |
| Gainer. | Purl. |
| Greer. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hopkins. | Thomason. |
| Hornsby. | Williamson. |
| Loy. | Woodruff. |
| Martin. | Woodul. |
| Neal. | Woodward. |

Absent—Excused.

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| Moore. | Russek. |
| Pollard. | |

Senate Bill No. 629.

The Chair laid before the Senate the following bill:

S. B. No. 629, A bill to be entitled 'An Act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; providing for visits to schools in the county and work in cooperation with teachers; prescribing the salary of said supervisor and how it shall be paid; providing other things incidental to said purpose; and declaring an emergency.'

The rule requiring committee reports to lie over 24 hours was suspended by a two-thirds vote.

The Committee report was adopted.

On motion of Senator Thomason, the constitutional rule requiring bills to be read on three several days was suspended and S. B. 629 was put on its second reading and final passage, by the following vote:

Yeas—28.

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| Beck. | Oneal. |
| Berkeley. | Parr. |
| Cousins. | Parrish. |
| Cunningham. | Patton. |
| DeBerry. | Poage. |
| Gainer. | Purl. |
| Greer. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hopkins. | Thomason. |
| Hornsby. | Williamson. |
| Loy. | Woodruff. |
| Martin. | Woodul. |
| Neal. | Woodward. |

Absent—Excused.

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| Moore. | Russek. |
| Pollard. | |

The bill was read second time and passed to engrossment.

On motion of Senator Thomason, the constitutional rule requiring bills to be read on three several days was suspended and S. B. 629 was put on its third reading and final passage, by the following vote:

Yeas—28.

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|-------------|-----------|
| Beck. | Greer. |
| Berkeley. | Hardin. |
| Cousins. | Holbrook. |
| Cunningham. | Hopkins. |
| DeBerry. | Hornsby. |
| Gainer. | Loy. |

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| Martin. | Rawlings. |
| Neal. | Small. |
| Oneal. | Stevenson. |
| Parr. | Thomason. |
| Parrish. | Williamson. |
| Patton. | Woodruff. |
| Poage. | Woodul. |
| Purl. | Woodward. |

Absent—Excused.

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|----------|---------|
| Moore. | Russek. |
| Pollard. | |

Read third time and finally passed by the following vote:

Yeas—28.

| | |
|-------------|-------------|
| Beck. | Oneal. |
| Berkeley. | Parr. |
| Cousins. | Parrish. |
| Cunningham. | Patton. |
| DeBerry. | Poage. |
| Gainer. | Purl. |
| Greer. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hopkins. | Thomason. |
| Hornsby. | Williamson. |
| Loy. | Woodruff. |
| Martin. | Woodul. |
| Neal. | Woodward. |

Absent—Excused.

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| Moore. | Russek. |
| Pollard. | |

Senate Bill No. 511.

The Chair laid before the Senate on its second reading the following bill:

By Senator Small:

S. B. No. 511, A bill to be entitled "An Act authorizing and directing the Commissioner of the General Land Office of the State of Texas, to deed, convey, assign and/or transfer all right, title and interest of whatsoever class, kind or character, directly or indirectly, belonging to the State of Texas, in and to that tract of land known as the "Wayside State Park, Wayside, Texas, 120 acres" situated in the Palo Dura Canyon, Armstrong County, in the State of Texas, to H. G. Bowe of Swisher County, Texas; and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Small, the constitutional rule requiring bills to be read on three several days was

suspended and S. B. 511 was put on its third reading and final passage by the following vote:

Yeas—28.

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| Beck. | Oneal. |
| Berkeley. | Parr. |
| Cousins. | Parrish. |
| Cunningham. | Patton. |
| DeBerry. | Poage. |
| Gainer. | Purl. |
| Greer. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hopkins. | Thomason. |
| Hornsby. | Williamson. |
| Loy. | Woodruff. |
| Martin. | Woodul. |
| Neal. | Woodward. |

Absent—Excused.

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| Moore. | Russek. |
| Pollard. | |

Read third time and finally passed.

House Bill No. 1046.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 1046, A bill to be entitled "An Act providing for the employment of rural school supervisors in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisors; prescribing salaries to be paid such supervisors; providing other things incidental to the purpose of this Act, and declaring an emergency."

The Committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Beck, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 1046 was put on its third reading and final passage, by the following vote:

Yeas—28.

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|-------------|------------|
| Beck. | Martin. |
| Berkeley. | Neal. |
| Cousins. | Oneal. |
| Cunningham. | Parr. |
| DeBerry. | Parrish. |
| Gainer. | Patton. |
| Greer. | Poage. |
| Hardin. | Purl. |
| Holbrook. | Rawlings. |
| Hopkins. | Small. |
| Hornsby. | Stevenson. |
| Loy. | Thomason. |

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| Williamson. | Woodul. |
| Woodruff. | Woodward. |

Absent—Excused.

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| Moore. | Russek. |
| Pollard. | |

Read third time and finally passed by the following vote:

Yeas—28.

| | |
|-------------|-------------|
| Beck. | Oneal. |
| Berkeley. | Parr. |
| Cousins. | Parrish. |
| Cunningham. | Patton. |
| DeBerry. | Poage. |
| Gainer. | Purl. |
| Greer. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hopkins. | Thomason. |
| Hornsby. | Williamson. |
| Loy. | Woodruff. |
| Martin. | Woodul. |
| Neal. | Woodward. |

Absent—Excused.

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| Moore. | Russek. |
| Pollard. | |

House Bill No. 417.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Van Zandt:

H. B. No. 417, A bill to be entitled "An Act to amend Article 1536, Revised Statutes of 1925, prescribing penalties for the transaction of business by foreign corporations in this State without obtaining a permit to do business in Texas, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Loy, the constitutional rule requiring bills to read on three several days was suspended and H. B. No. 417 was put on its third reading and final passage by the following vote:

Yeas—28.

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|-------------|-----------|
| Beck. | Holbrook. |
| Berkeley. | Hopkins. |
| Cousins. | Hornsby. |
| Cunningham. | Loy. |
| DeBerry. | Martin. |
| Gainer. | Neal. |
| Greer. | Oneal. |
| Hardin. | Parr. |

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| Parrish. | Stevenson. |
| Patton. | Thomason. |
| Poage. | Williamson. |
| Purl. | Woodruff. |
| Rawlings. | Woodul. |
| Small. | Woodward. |

Absent—Excused.

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| Moore. | Russek. |
| Pollard. | |

Read third time and finally passed
by the following vote:

Yeas—28.

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|-------------|-------------|
| Beck. | Oneal. |
| Berkeley. | Parr. |
| Cousins. | Parrish. |
| Cunningham. | Patton. |
| DeBerry. | Poage. |
| Gainer. | Purl. |
| Greer. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hopkins. | Thomason. |
| Hornsby. | Williamson. |
| Loy. | Woodruff. |
| Martin. | Woodul. |
| Neal. | Woodward. |

Absent—Excused.

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| Moore. | Russek. |
| Pollard. | |

House Bill Referred.

H. B. No. 768, referred to Committee
on State Affairs.

House Bill No. 375.

The Chair laid before the Senate
on its second reading the following
bill:

By Mr. Johnson of Dimmit:

H. B. No. 375, A bill to be entitled
"An Act to amend Sections 1 and 2
of Chapter 304, page 678 et seq., of
the Acts of the Regular Session of
the Forty-first Legislature of the State
of Texas, so as to include onion and
spinach seed and include in addition
to the other data to be shown the
year in which such seed were grown,
and declaring an emergency."

The Committee report was adopted.

The bill was read second time and
passed to third reading.

On motion of Senator Parr, the con-
stitutional rule requiring bills to be
read on three several days was sus-
pended and H. B. No. 375 was put on
its third reading and final passage,
by the following vote:

Yeas—28.

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| Beck. | Oneal. |
| Berkeley. | Parr. |
| Cousins. | Parrish. |
| Cunningham. | Patton. |
| DeBerry. | Poage. |
| Gainer. | Purl. |
| Greer. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hopkins. | Thomason. |
| Hornsby. | Williamson. |
| Loy. | Woodruff. |
| Martin. | Woodul. |
| Neal. | Woodward. |

Absent—Excused.

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| Moore. | Russek. |
| Pollard. | |

Read third time and finally passed
by the following vote:

Yeas—28.

| | |
|-------------|-------------|
| Beck. | Oneal. |
| Berkeley. | Parr. |
| Cousins. | Parrish. |
| Cunningham. | Patton. |
| DeBerry. | Poage. |
| Gainer. | Purl. |
| Greer. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hopkins. | Thomason. |
| Hornsby. | Williamson. |
| Loy. | Woodruff. |
| Martin. | Woodul. |
| Neal. | Woodward. |

Absent—Excused.

| | |
|----------|---------|
| Moore. | Russek. |
| Pollard. | |

House Bill No. 1015.

The Chair laid before the Senate
on its second reading the following
bill:

H. B. No. 1015, A bill to be entitled
"An Act to amend Articles 1740 and
1741 of the Revised Civil Statutes,
etc., and declaring an emergency."

The bill was read second time and
passed to third reading.

On motion of Senator Rawlins, the
constitutional rule requiring bills to
be read on three several days was
suspended and H. B. No. 1075 was put
on its third reading and final passage,
by the following vote:

Yeas—28.

| | |
|-------------|-------------|
| Beck. | Oneal. |
| Berkeley. | Parr. |
| Cousins. | Parrish. |
| Cunningham. | Patton. |
| DeBerry. | Poage. |
| Gainer. | Purl. |
| Greer. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hopkins. | Thomason. |
| Hornsby. | Williamson. |
| Loy. | Woodruff. |
| Martin. | Woodul. |
| Neal. | Woodward. |

Absent—Excused.

| | |
|----------|---------|
| Moore. | Russek. |
| Pollard. | |

Read third time and finally passed.

House Bill No. 415.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Finn, Mr. Keller, Mr. Walker, Mr. Ray and Mr. Sherrill et al.:

H. B. No. 415, A bill to be entitled "An Act amending Article 6673, Chapter One, of Title 116, of the Revised Civil Statutes of Texas, and providing for the control of State highways of Texas, and providing that no change in the routing of highways already designated within towns and cities of more than two hundred (200) population shall be changed without the consent of the commissioners court of the county wherein said town or city is situated, and declaring an emergency."

Read second time.

On motion of Senator Woodruff, the bill was laid on the table subject to call.

House Bill No. 356.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Bond:

H. B. No. 356, A bill to be entitled "An Act to amend Article 4014, Revised Civil Statutes of 1925, which regulates reports required to be made to the Railroad Commission by corporations, companies and persons issuing free transportation, by providing that such report shall be made as and when requested by the Railroad Commission of Texas, and fixing

a penalty for violation of the law, repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Stevenson, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 356 was put on its third reading and final passage, by the following vote:

Yeas—28.

| | |
|-------------|-------------|
| Beck. | Oneal. |
| Berkeley. | Parr. |
| Cousins. | Parrish. |
| Cunningham. | Patton. |
| DeBerry. | Poage. |
| Gainer. | Purl. |
| Greer. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hopkins. | Thomason. |
| Hornsby. | Williamson. |
| Loy. | Woodruff. |
| Martin. | Woodul. |
| Neal. | Woodward. |

Absent—Excused.

| | |
|----------|---------|
| Moore. | Russek. |
| Pollard. | |

The bill was read third time and finally passed.

House Bill No. 349.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Grogan:

H. B. No. 349, A bill to be entitled "An Act fixing the salary of the county superintendent of public instruction in a certain class of counties classified according to population, said salary to be paid in the same manner and out of the same funds as provided for county superintendent under the laws of this State, and declaring an emergency."

The Committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Cousins, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 349 was put on its third reading and final passage, by the following vote:

Yeas—28.

| | |
|-----------|-------------|
| Beck. | Cousins. |
| Berkeley. | Cunningham. |

| | |
|-----------|-------------|
| DeBerry. | Parrish. |
| Gainer. | Patton. |
| Greer. | Poage. |
| Hardin. | Purl. |
| Holbrook. | Rawlings. |
| Hopkins. | Small. |
| Hornsby. | Stevenson. |
| Loy. | Thomason. |
| Martin. | Williamson. |
| Neal. | Woodruff. |
| Oneal. | Woodul. |
| Parr. | Woodward. |

Absent—Excused.

| | |
|----------|---------|
| Moore. | Russek. |
| Pollard. | |

Read third time and finally passed.

House Bill No. 87.

The Chair laid before the Senate on its second reading the following bill:

By Mr. McCombs:

H. B. No. 87, A bill to be entitled "An Act providing that whenever any person shall procure the issuance of a policy of insurance on his or her life in any legal reserve life insurance company, and designate in writing filed with the company the beneficiary to receive the proceeds thereof, the company issuing such policy shall, in the absence of the receipt by it of notice of an adverse claim to the proceeds of the policy from one having a bona fide legal claim to such proceeds, or a part thereof, pay such proceeds becoming due on the death of the insured to the person so designated as beneficiary, and such payment so made, in the absence of such notice received by the insurance company prior to the date of the payment of the proceeds, shall discharge the company from all liability under the policy; providing, that the provisions of this act shall apply to policies in existence, as well as to all policies hereafter written, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Purl the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 87 was put on its third reading and final passage, by the following vote:

Yeas—28.

| | |
|-----------|-------------|
| Beck. | Cousins. |
| Berkeley. | Cunningham. |

| | |
|-----------|-------------|
| DeBerry. | Parrish. |
| Gainer. | Patton. |
| Greer. | Poage. |
| Hardin. | Purl. |
| Holbrook. | Rawlings. |
| Hopkins. | Small. |
| Hornsby. | Stevenson. |
| Loy. | Thomason. |
| Martin. | Williamson. |
| Neal. | Woodruff. |
| Oneal. | Woodul. |
| Parr. | Woodward. |

Absent—Excused.

| | |
|----------|---------|
| Moore. | Russek. |
| Pollard. | |

Read third time and finally passed.

House Bill No. 704.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 704, A bill to be entitled "An Act to provide that no officer or employee of the State of Texas, any county, city, town, or village, or any municipality or political subdivision, using or accepting the benefits of any free pass or franking privilege of any railroad, interurban, motor bus or other transportation line, shall charge or collect from the State, county, city, town, village, municipality, or political subdivision, the amount he would have paid had he not used such free pass; fixing penalty, and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Poage the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 704 was put on its third reading and final passage, by the following vote:

Yeas—28.

| | |
|-------------|-------------|
| Beck. | Oneal. |
| Berkeley. | Parr. |
| Cousins. | Parrish. |
| Cunningham. | Patton. |
| DeBerry. | Poage. |
| Gainer. | Purl. |
| Greer. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hopkins. | Thomason. |
| Hornsby. | Williamson. |
| Loy. | Woodruff. |
| Martin. | Woodul. |
| Neal. | Woodward. |

Absent—Excused.

Moore.
Pollard.

Russek.

Read third time and finally passed.

House Bill No. 1011.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 1011, A bill to be entitled "An Act authorizing independent school districts, by the exercise of the right of eminent domain to acquire the title to streets and alleys for certain purposes under certain prescribed rules and regulations, and declaring an emergency."

Read second time.

Senator Berkeley sent up the following amendment:

Amend H. B. No. 1011, Page 1, line 35, by adding between the words "on" and "said" the following: "that part of;"

Also, between the words "alley" and "but" in Line 35 the following: "sought to be enclosed;"

Also, between the words "damages" and "in" in Line 38 the following: "where such damages are special, apart from that suffered by the public in general;"

Also, and between the words "to" and "close" in Line 40 the word "permanently."

BERKELEY.

Read and adopted.

The bill was passed to engrossment.

On motion of Senator Berkeley the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 1011 was put on its third reading and final passage, by the following vote:

Yeas—28.

| | |
|-------------|-------------|
| Beck. | Oneal. |
| Berkeley. | Parr. |
| Cousins. | Parrish. |
| Cunningham. | Patton. |
| DeBerry. | Poage. |
| Gainer. | Purl. |
| Greer. | Rawlings |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hopkins. | Thomason. |
| Hornsby. | Williamson. |
| Loy. | Woodruff. |
| Martin. | Woodul. |
| Neal. | Woodward. |

Absent—Excused.

Moore.
Pollard.

Russek.

Read third time and finally passed.

Senate Bill No. 314.

The Chair laid before the Senate on its second reading the following bill:

By Senator Patton:

S. B. No. 314, A bill to be entitled "An Act providing for the improvement and repair of Sam Houston home and the grounds adjacent thereto in Hunstville, and for the maintenance of same; providing means and manner thereof; making appropriation therefor, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Patton the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 314 was put on its third reading and final passage, by the following vote:

Yeas—27.

| | |
|-------------|-------------|
| Beck. | Oneal. |
| Berkeley. | Parr. |
| Cousins. | Parrish. |
| Cunningham. | Patton. |
| DeBerry. | Poage. |
| Gainer. | Purl. |
| Greer. | Small. |
| Hardin. | Stevenson. |
| Holbrook. | Thomason. |
| Hopkins. | Williamson. |
| Hornsby. | Woodruff. |
| Loy. | Woodul. |
| Martin. | Woodward. |
| Neal. | |

Absent—Excused.

Moore.
Pollard.Rawlings.
Russek.

Read third time and finally passed by the following vote:

Yeas—23.

| | |
|-------------|-----------|
| Beck. | Holbrook. |
| Berkeley. | Hopkins. |
| Cousins. | Loy. |
| Cunningham. | Martin. |
| DeBerry. | Neal. |
| Gainer. | Oneal. |
| Greer. | Parr. |
| Hardin. | Parrish. |

Patton.
Purl.
Stevenson.
Thomason.

Williamson.
Woodul.
Woodward.

Nays—4.

Hornsby. Small.
Poage. Woodruff.

Absent—Excused.

Moore. Rawlings.
Pollard. Russek.

House Bill No. 749.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 749, A bill to be entitled "An Act requiring the Game, Fish and Oyster Commission to set aside and designate portions of the fresh water lakes, streams, creeks, rivers, lagoons and pounds of this State as fish sanctuaries for the propagation in their natural state of fresh water fish, etc., and declaring an emergency."

Read second time.

On motion of Senator Neal, the bill was laid on the table subject to call.

Senate Bill No. 621.

The Chair laid before the Senate on its second reading the following bill:

By Senator Beck:

S. B. No. 621, A bill to be entitled "An Act making an emergency appropriation out of the general revenue of the State for the purposes named herein, for the balance of the fiscal year ending August 31, 1931, and declaring an emergency."

Read second time.

Senator Beck sent up the following amendment:

Amend Senate Bill No. 621 by changing the comma after the figures "1931" in Section 1 to a period, and adding the following: "For additional help for Auditor's Department to September 1, 1931, \$2,100.00."

BECK.

Read and adopted.

The bill was passed to engrossment.

On motion of Senator Holbrook the constitutional rule requiring bills to be read on three several days was suspended and S. B. 621 was put

put on its third reading and final passage, by the following vote:

Yeas—28.

| | |
|-------------|-------------|
| Beck. | Oneal. |
| Berkeley. | Parr. |
| Cousins. | Parrish. |
| Cunningham. | Patton. |
| DeBerry. | Poage. |
| Gainer. | Purl. |
| Greer. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hopkins. | Thomason. |
| Hornsby. | Williamson. |
| Loy. | Woodruff. |
| Martin. | Woodul. |
| Neal. | Woodward. |

Absent—Excused.

Moore. Russek.
Pollard.

Read third time and finally passed by the following vote:

Yeas—28.

| | |
|-------------|-------------|
| Beck. | Oneal. |
| Berkeley. | Parr. |
| Cousins. | Parrish. |
| Cunningham. | Patton. |
| DeBerry. | Poage. |
| Gainer. | Purl. |
| Greer. | Rawlings. |
| Hardin. | Small. |
| Holbrook. | Stevenson. |
| Hopkins. | Thomason. |
| Hornsby. | Williamson. |
| Loy. | Woodruff. |
| Martin. | Woodul. |
| Neal. | Woodward. |

Absent—Excused.

Moore. Russek.
Pollard.

House Bill No. 251.

The question recurred upon the pending amendment to H. B. No. 251.

Senator Purl moved to suspend the rule requiring Senators to speak from their desk and permit Senator Holbrook to speak from the front of the Secretary's stand. The motion prevailed by the following vote:

Yeas—21.

| | |
|-------------|---------|
| Berkeley. | Gainer. |
| Cousins. | Greer. |
| Cunningham. | Hardin. |
| DeBerry. | Loy. |

| | |
|----------|-------------|
| Martin. | Purl. |
| Neal. | Small. |
| Oneal. | Thomason. |
| Parr. | Williamson. |
| Parrish. | Woodruff. |
| Patton. | Woodward. |
| Poage. | |

Nays—2.

| | |
|----------|------------|
| Hornsby. | Stevenson. |
|----------|------------|

Present—Not Voting.

Holbrook.

Absent.

| | |
|----------|-----------|
| Beck. | Rawlings. |
| Hopkins. | Woodul. |

Absent—Excused.

| | |
|----------|---------|
| Moore. | Russek. |
| Pollard. | |

Senator Hornsby moved to table the pending amendment. The motion prevailed by the following vote:

Yeas—13.

| | |
|-----------|-------------|
| Berkeley. | Rawlings. |
| Cousins. | Small. |
| Hornsby. | Stevenson. |
| Oneal. | Thomason. |
| Patton. | Williamson. |
| Poage. | Woodul. |
| Purl. | |

Nays—11.

| | |
|-------------|-----------|
| Cunningham. | Hopkins. |
| DeBerry. | Loy. |
| Gainer. | Neal. |
| Greer. | Parrish. |
| Hardin. | Woodruff. |
| Holbrook. | |

Absent.

Beck.

Absent—Excused.

| | |
|----------|-----------|
| Moore. | Russek. |
| Pollard. | Woodward. |

(Pair Recorded.)

Senator Parr present, who would vote nay with Senator Martin absent, who would vote yea.

By Mr. Poage.

Senator Poage sent up the following amendment:

Amend H. B. No. 251 as amended by adding the following Section to be known as Sub-section 8a.

8a. Every person, firm, or corporation or association of persons engaging in the business of buying and selling cotton and/or grain, livestock or any other agricultural products shall pay an annual tax of one-half of one per cent of the gross amount of the purchases in intrastate commerce where such purchases amount to Five Hundred Thousand (\$500,000.00) Dollars, and not over One Million (\$1,000,000.00) Dollars and one per cent on all purchases in excess of One Million (\$1,000,000.00) Dollars."

POAGE.

The amendment was read.

Senator DeBerry sent up the following amendment to the amendment:

Amend amendment to H. B. No. 251 by adding after the word products the following "and/or any other class of merchandise or commodities."

DeBERRY.

Read and, on motion of Senator Poage, tabled.

On motion of Senator Hornsby, the previous question was ordered on the pending amendment.

The amendment was adopted by the following vote:

Yeas—15.

| | |
|-------------|-----------|
| Berkeley. | Oneal. |
| Cunningham. | Parr. |
| DeBerry. | Parrish. |
| Gainer. | Poage. |
| Hardin. | Rawlings. |
| Hornsby. | Thomason. |
| Loy. | Woodruff. |
| Neal. | |

Nays—9.

| | |
|-----------|-------------|
| Cousins. | Small. |
| Holbrook. | Stevenson. |
| Hopkins. | Williamson. |
| Patton. | Woodul. |
| Purl. | |

Absent.

| | |
|--------|-----------|
| Beck. | Martin. |
| Greer. | Woodward. |

Absent—Excused.

| | |
|----------|---------|
| Moore. | Russek. |
| Pollard. | |

Senator Woodruff sent up the following amendment:

Amend the amendment to H. B. No. 251 by adding after the word "of" and before the word "buying" the following: "Manufacturing and/or producing for sale, or of." and by adding between the word "Purchases" and "in" the words "or sales" and between the words "Purchases" and "amount" the words "or sales."

WOODRUFF.

The amendment was read.

Senator Purl moved to re-commit the amendment and the bill to the Committee on State Affairs.

Senator Parr moved as a substitute to postpone the further consideration of the bill.

On motion of Senator Hornsby, the motion was tabled.

Senator Poage moved to table the motion to re-commit. The motion to table prevailed by the following vote:

Yeas—18.

| | |
|-------------|-------------|
| Berkeley. | Oneal. |
| Cousins. | Parrish. |
| Cunningham. | Poage. |
| DeBerry. | Rawlings. |
| Gainer. | Small. |
| Greer. | Thomason. |
| Hornsby. | Williamson. |
| Loy. | Woodruff. |
| Neal. | Woodward. |

Nays—7.

| | |
|-----------|------------|
| Holbrook. | Purl. |
| Hopkins. | Stevenson. |
| Parr. | Woodul. |
| Patton. | |

Absent.

| | |
|---------|---------|
| Beck. | Martin. |
| Hardin. | |

Absent—Excused.

| | |
|----------|---------|
| Moore. | Russek. |
| Pollard. | |

Senator Purl moved to adjourn until 10 o'clock Monday morning. The motion was lost by the following vote:

Yeas—6.

| | |
|----------|------------|
| Cousins. | Purl. |
| Parrish. | Stevenson. |
| Patton. | Woodul. |

Nays—19.

| | |
|-------------|-------------|
| Berkeley. | Oneal. |
| Cunningham. | Parr. |
| DeBerry. | Poage. |
| Gainer. | Rawlings. |
| Greer. | Small. |
| Holbrook. | Thomason. |
| Hopkins. | Williamson. |
| Hornsby. | Woodruff. |
| Loy. | Woodward. |
| Neal. | |

Absent.

| | |
|-------|---------|
| Beck. | Hardin. |
|-------|---------|

Absent—Excused.

| | |
|---------|----------|
| Martin. | Pollard. |
| Moore. | Russek. |

On motion of Senator Woodruff, the previous question was ordered on the amendment.

The amendment was lost.

Senator DeBerry sent up the following amendment:

Amend substitute for House Bill No. 251, Section 1, subdivision 4, in division 1, under "C", by adding at the end of said paragraph 1 the following:

"Or any person purchasing or selling said products for the purpose of re-sale, or to any person distributing or selling the above products to a dealer for the purpose of resale."

DeBERRY.

Read and lost by the following vote:

Yeas—7.

| | |
|-------------|-----------|
| Cunningham. | Holbrook. |
| DeBerry. | Parrish. |
| Gainer. | Woodruff. |
| Hardin. | |

Nays—19.

| | |
|-----------|-------------|
| Berkeley. | Poage. |
| Cousins. | Purl. |
| Greer. | Rawlings. |
| Hopkins. | Small. |
| Hornsby. | Stevenson. |
| Loy. | Thomason. |
| Neal. | Williamson. |
| Oneal. | Woodul. |
| Parr. | Woodward. |
| Patton. | |

Absent.

Beck.

Absent—Excused.

Martin.
Moore.

Pollard.
Russek.

Senator Loy sent up the following amendment:

Amend substitute to H. B. No. 251 by adding thereto a new Section 39-A, which shall read as follows:

"Section 39-A. Each person who owns, controls, manages, leases, or operates, any sulphur mine, or mines, wells or shafts, or who produces sulphur by any method, system, or manner within this State shall make quarterly on the first day of January, April, July and October of each year a report to the Comptroller sworn to by such person before an officer authorized to administer oaths in this State, or if such person be other than an individual so sworn to by its president, secretary, or other duly authorized officer, on such forms as the Comptroller shall prescribe showing the total amount of sulphur produced within this State by said person during the quarter next preceding; and at the time of making said report shall pay to the Treasurer of this State as occupation tax for the quarter ending on said date an amount equal to One Dollar Twenty Five Cents (\$1.25) per long ton, or fraction thereof, of all sulphur produced by said person within the State of Texas during said quarter. Should any person subject to the occupation tax herein levied begin business after the beginning of a quarter, the amount of tax which such person or concern shall pay for the first quarter immediately succeeding the quarter in which the business was begun shall be ascertained by taking the total number of tons produced within the last quarter, dividing the same by the number of days such person or concern was engaged in the business during said preceding quarter and multiply the quotient by ninety, and multiplying the product by One Dollar and Twenty Five Cents (\$1.25). Said tax shall be in lieu of the tax imposed by H. B. No. 2, Chapter 74, Acts of Fifth Called Session of the Forty-first Legislature, but said tax shall be paid in the same manner, subject to the same penalties, and under the same conditions as provided in said Act, except that one-fourth of said

funds shall go to the Available School Fund, and the remainder to the General Revenue."

LOY.

The amendment was read.

Adjournment.

Senator Greer moved to adjourn until Monday morning at 10 o'clock. The motion prevailed by the following vote:

Yeas—15.

| | |
|-------------|------------|
| Cousins. | Parrish. |
| Cunningham. | Patton. |
| DeBerry. | Poage. |
| Greer. | Rawlings. |
| Hardin. | Stevenson. |
| Holbrook. | Thomason. |
| Hopkins. | Woodul. |
| Parr. | |

Nays—11.

| | |
|-----------|-------------|
| Berkeley. | Purl. |
| Gainer. | Small. |
| Hornsby. | Williamson. |
| Loy. | Woodruff. |
| Neal. | Woodward. |
| Oneal. | |

Absent.

Beck.

Absent—Excused.

| | |
|---------|----------|
| Martin. | Pollard. |
| Moore. | Russek. |

At 5:50 o'clock p. m., the Senate adjourned.

APPENDIX.

Petitions and Memorials.

(Telegram.)

San Antonio, Texas,

May 14, 1931

Lieutenant Governor Edgar E. Witt,
Austin, Texas.

If the laws you Senators make are just half as popular with the people as was the message of congratulation to the Mayor and City Commission then you should be supremely happy. Thank each signer of telegram for us.

C. M. Chambers.

(Telegram.)

Tyler, Texas, May 7, 1931.
Senator Thomas G. Pollard, Austin, Texas.

Our directors in session today were unalterably opposed to any eleventh hour legislation which centralizes power in the Railroad Commission or any other regulatory body especially that which takes from the committee of eleven its rights to advise in matters of proration. Any effort to do so does not seem to be in good faith in view of the agreement reached. We urge your opposition to any such measures.

RUSSELL S. RHODES,

General Manager Tyler Chamber of Commerce.

Committee on Enrolled Bills.

Committee Room,
Austin, Texas, May 16, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 72 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 15, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 157 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 15, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 582 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 15, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 136 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 15, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 35 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 15, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills have had S. R. No. 150 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, May 15, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 51 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, May 15, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 445 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, May 16, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 622 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, May 16, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 220 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, May 15, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on En-

grossed Bills, have had S. B. No. 605 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, May 15, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 467 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, May 16, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 206 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, May 16, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 618 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, May 15, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 409 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin Texas, May 16, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 440 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, May 16, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 349, A bill to be entitled

"An Act fixing the salary of the County Superintendent of Public Instruction in a certain class of Counties classified according to population, said salary to be paid in the same manner and out of the same funds as provided for County Superintendent under the laws of this State; declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

NEAL, Chairman.

Committee Room,
Austin, Texas, May 16, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 1039, A bill to be entitled "An Act to amend House Bill 94 as passed by the 42nd Legislature, fixing the salary of the County Superintendent of Public Instruction and the County Board of School Trustees in each county in Texas having a population of not less than eighteen thousand, four hundred thirty-five (18,435) according to the last preceding Federal Census, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

NEAL, Chairman.

Committee Room,
Austin, Texas, May 16, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 629, A bill to be entitled "An Act providing for a rural school supervisor in certain counties in lieu of teachers' institutes prescribing the duties of said supervisor; providing for visits to schools in the county and work in cooperation with teachers; prescribing the salary of said supervisor and how it shall be paid; providing other things incidental to said purpose; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the

recommendation that it do pass, and be not printed.

NEAL, Chairman.

Committee Room,
Austin, Texas, May 16, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 493, A bill to be entitled "An Act to amend Articles 4371, 4372, 4380, 4381, 4382, 4385, 4391, and 4393, and also Article 4388 amended by Chapter 73, page 230 of the General Laws of the Fifth Called Session of the 41st Legislature, and to repeal Article 4387, all of said Articles being from Chapter 3 of Title 70, Revised Civil Statutes of 1925, relating to the Department of State Treasurer, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed in the Journal but not otherwise.

WOODUL, Vice-Chairman.

By Stevenson.

H. B. No. 493.

A BILL

To Be Entitled

An Act to amend Articles 4371, 4372, 4380, 4381, 4382, 4385, 4390, 4391, 4392 and 4393, and also Article 4388 as amended by Chapter 73, Page 230 of the General Laws of the 5th Called Session of the 41st Legislature, and to repeal Article 4387, all of said Articles being from Chapter 3 of Title 70, Revised Civil Statutes of 1925, relating to the Department of State Treasurer, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Articles 4371, 4372, 4380, 4381, 4382, 4385, 4388 as amended by Chapter 73, Page 230 of the General Laws of the 5th Called Session of the 41st Legislature, 4390, 4391, 4392 and 4393 of the Revised Civil Statutes of 1925, be amended so as hereafter to read as follows:

"Article 4371. Money Paid Out, How.—The Treasurer shall countersign and pay all warrants drawn by the Comptroller on the Treasury which are authorized by law. No money shall be paid out of the

Treasury except in the warrants of the Comptroller and no warrant shall be paid by the Treasurer unless presented for payment within two years from the close of the fiscal year in which such warrant was issued, but claims for the payment of such warrants may be presented to the Legislature for appropriations to be made from which such claims may be paid.

"Article 4372. To Keep Accounts.—The Treasurer shall keep true accounts of the receipts and expenditures of the public moneys of the Treasury, and close his accounts annually on the 31st day of August, with the proper legal vouchers for the same, distinguishing between the receipts and disbursements of each fiscal year.

"Article 4380. Deposit Warrant Register.—The Treasurer shall keep a deposit warrant register, designed with columns for State revenue, available school fund, miscellaneous, and such other columns as may be found necessary; all warrants to be entered consecutively and distributed to the proper columns. The deposit warrant register shall be prepared by the Comptroller as a carbon copy of the deposit warrant register kept by him and shall be furnished to the Treasurer together with the deposit warrants for moneys deposited each day.

"Article 4381. Shall Post Daily Totals.—The State Treasurer shall cause the daily totals of deposit warrants to be posted to the proper fund and control accounts in the general ledger. The Treasurer shall keep a "transit record" in which he shall record the essential details of all cash, checks, money orders, drafts or other items deposited or cashed each day, showing the items deposited in each depository bank or otherwise disposed of. The totals of deposits shall be charged to the accounts of the respective depositories on the books of the Treasury. The Treasurer shall keep a journal in which to enter all journal vouchers or other memoranda of transfers between funds or accounts. Postings shall be made from this journal to the proper accounts on the books of the Treasury.

"Article 4382. Register of Warrants Issued.—The Treasurer shall keep registers of warrants issued,

one for each class of warrants. The Comptroller shall furnish lists of warrants issued; which lists shall be compared with the warrants and shall constitute the Treasurer's registers of warrants issued. The amounts of warrants issued shall be added by the Treasurer and proved against the totals of the warrant registers. The date of payment of all warrants shall be stamped on the above registers. The Treasurer shall keep a "warrants paid register." In this register the warrants shall be entered each day when paid; the number and amount of each warrant paid being entered. Warrants shall be grouped by classes and separate totals of warrants paid from each fund shall be shown, as well as the grand total of all warrants paid each day. The Treasurer shall furnish to the Comptroller each day a copy of the warrants paid register showing the warrants paid. The Treasurer shall keep a register of warrants cancelled on which shall be entered the details of all warrants cancelled.

"Article 4385. General Ledger Accounts.—The Treasurer shall charge the daily totals of the general warrants, pension warrants, special warrants, and all other classes of warrants to the respective fund and control accounts in the general ledger to which they apply.

"Article 4388. Daily Statements from Departments.—The State Treasurer shall receive daily from the head of each Department, each of whom is specifically charged with the duty of making same daily, a detailed list of all persons remitting money the status of which is awaiting the time when it can finally be taken into the Treasury together with the actual remittances which the Treasurer shall cash and place in his vaults or in legally authorized depository banks, if the necessity arises. The report from the General Land Office shall include all money for interest, principal and leases of school, university, asylum, and other lands. A deposit receipt shall be issued by the Comptroller for the daily total of such remittances from each Department; and the cashier of the Treasurer's Department shall keep a cash book, to be called "suspense cash book," in which to enter these deposit receipts, and any others issued for cash received for which no deposit warrants can be

issued, or when their issuance is delayed. As soon as the status of money so placed with the Treasurer on a deposit receipt is determined it shall be transferred from the suspense account by placing the portion of it belonging to the State in the Treasury by the issuance of a deposit warrant, and the part found not to belong to the State shall be refunded. When deposit warrants are issued, they shall be entered in this cash book, as well as any refunds, and the balance shall represent the aggregate of the items still in suspense. Refunds shall be made in a manner similar to that in present use, except that separate series of warrants shall be used for making such refunds, to be called "refund warrants," and such warrants shall be written and signed by the Comptroller and countersigned by the Treasurer, and charged against the suspense funds to which they apply. Such warrants shall then be returned to the Comptroller and delivered by him to the person entitled to receive them.

"Article 4390. Cash Balancing Book.—The Treasurer shall keep a book, to be called "cash balancing book," for the purpose of arriving at the daily cash balance, in which shall be entered the daily totals of all receipts and disbursements. The amount of cash on hand and in depository banks shall also be shown. A copy of the cash balancing sheet shall be furnished to the Comptroller each day.

"Article 4391. Ledger.—The General ledger kept by the Treasurer shall contain accounts for each fund, which shall be credited with the existing balances and with the daily totals of deposit warrants. The pay warrants issued, shall be charged to the several fund accounts from the warrants issued registers in daily totals. The ledger shall also contain control accounts for cash, depository banks, bonds, interest, securities, warrants payable and such other accounts as may be necessary. Postings shall be made to the ledger daily from the deposit warrant register, warrants issued registers, warrants paid register and other supporting records. The ledger shall be balanced daily.

"Article 4392. Bond book.—The Treasurer shall keep a bond book, in which to enter all warrants or authorizations to receive or relinquish

bonds held by him and belonging to any State fund. The Treasurer shall also keep appropriate ledger accounts showing a short description of the essential features of each, of each bond or of each purchase of similar or like bonds, or other securities purchased by and belonging to the permanent school and other funds of the State; each of which accounts shall be charged with the principal of such bond or purchase, and with each separate item of interest payments to accrue thereon, and shall be credited with payments as made. He shall also keep controlling or total accounts of such bonds or other securities in the general ledger; which accounts shall be kept with respect to the total amount of bonds or other securities belonging to each separate fund; and also controlling accounts for interest to accrue on such bonds, to be set up at the beginning of each fiscal year, on bonds or other securities owned at that time, for interest to accrue for the fiscal year, and for interest on subsequent purchases during the year to be set up when such bonds or securities are purchased; each of which controlling accounts shall be balanced monthly with the sum of the individual accounts for bonds or securities; which accounts shall be balanced monthly and shall correspond with the like accounts kept by the Comptroller.

"Article 4393. Securities Register. The Treasurer shall keep a suitable register in which to enter all bonds, cash and other securities lodged with him by bond investment, surety and insurance companies, and State depository banks, and all other bonds or securities lodged with him under the provisions of the Statutes, the registration of which is not otherwise provided for by law; in which he shall enter the Deposit receipts or other authorizations to receive or relinquish such bonds or securities. The receiving and relinquishment of these securities shall be on the authority of the Comptroller. He shall also keep a "securities ledger" in which shall be kept appropriate accounts for all matters for which such deposit receipts or authorizations are issued; which ledger shall be balanced monthly against control account to be kept in the "general ledger" and with

like accounts to be kept by the comptroller."

Sec. 2. That Article 4387 of the Revised Civil Statute of 1925, be and the same is hereby repealed.

Sec. 3. The fact that the requirements under the present Articles are inadequate, impractical, and not in accordance with modern practice, and the further fact that these changes are necessary to properly co-ordinate the work of the Treasury Department and the Comptroller's Department, creates an emergency and an imperative public necessity which requires that the Constitutional Rule, providing that bills be read on three several days be suspended, and said Rule is hereby suspended and that the Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, May 16, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 495, A bill to be entitled "An Act to amend Articles 4353, 4354, 4355, 4357, 4358, 4359, 4363, 4364, Chapter 2 of Title 70, Revised Civil Statutes of 1925, relating to system and methods of the Department of the Comptroller of Public Accounts, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed in the Journal but not otherwise.

WOODUL, Vice-President.

By Stevenson.

H. B. No. 495.

A BILL

To Be Entitled

An Act to amend Articles 4350, 4353, 4354, 4355, 4357, 5348, 4359, 4363, and 4364, Chapter 2 of Title 70, Revised Civil Statutes of 1925, relating to system and methods of the Department of the Comptroller of Public Accounts, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Articles 4350, 4353, 4354, 4355, 4357, 4358, 4359, 4363, and 4364, Chapter 2 of Title 70, Revised Civil Statutes of 1925, be amended so as to hereafter read as follows

"Article 4350. Warrants on Treasurer.—No warrant shall be issued to any person indebted to the State, or to his agent or assignee, until such debt is paid.

"Article 4353. Deposit Warrants.—The Comptroller shall have printed uniform deposit warrants, which shall be of four (4) classes: "State Revenue," "Available School," "Permanent School," and "Miscellaneous"; and which shall be prepared in triplicate and marked "original," "duplicate," and "triplicate," respectively. Each class shall be separately serially numbered, and shall be on paper of a different color from the other classes. He shall provide for the use of his department a warrant register in which to enter such deposit warrants in consecutive order. When a deposit warrant is prepared, it shall be registered in the deposit warrant register. A distribution of the amount stated in each deposit warrant shall be entered on the revenue analysis record containing accounts for each source of revenue. The triplicate deposit warrant shall be, on receipt by the Treasurer of the amount stated therein, receipted by the Treasurer and delivered to the person making the deposit, the original shall be retained by the Treasurer, who shall file the same numerically; and the duplicate shall be, on the receipt of the amount stated therein, receipted by the Treasurer, and by him returned to the Comptroller, who shall file the same numerically. The printed forms for these warrants shall be so prepared and arranged that the original, duplicate and triplicate may, by use of carbon sheets, all be prepared at one and the same writing. No deposit shall be received into the State Treasury on any account, except upon a deposit warrant issued as herein provided. The Comptroller shall furnish the Treasurer with a copy of the deposit warrant register for deposits made each day, which shall constitute the Treasurer's deposit warrant register.

"Article 4354. Deposit receipts.—The Comptroller shall have printed uniform deposit receipts, to be issued by the Comptroller to cover moneys and other securities received and held by the State Treasurer for Bond Investment Surety and Insurance Companies, State Depository Banks and all others for which no deposit warrant is issued, or the issuance of a deposit warrant which is deferred. Such receipts shall be prepared in triplicate and marked "original," "duplicate,"

"triplicate," respectively, and shall be serially numbered. The printed form for these receipts shall be so prepared and arranged that the original duplicate and triplicate may, by the use of carbon sheets, be prepared at one and the same writing. The triplicate deposit receipt shall be, on receipt by the Treasurer of the items stated therein, receipted by the Treasurer and delivered to the person making the deposit, the original retained by the Treasurer, and the duplicate receipted by the Treasurer and by him returned to the Comptroller, who shall file the same numerically. The Comptroller shall provide his office with appropriate registers, in which he shall register the deposit receipts issued in like manner as is provided for the registration of deposit warrants, and shall provide a separate ledger in which shall be kept appropriate accounts for all matters for which such deposit receipts are issued. The Comptroller shall also provide separate series of deposit receipts or authorization certificates for the receiving of bonds or securities purchased for the permanent funds of the State, and relinquishment of bonds sold or redeemed.

"Article 4355. Claims and accounts.—All claims and accounts against the State shall be submitted on forms prescribed by the Comptroller and in duplicate, when required by him, except claims for pensions, and shall be so prepared as to provide for the entering thereon, for the use of the Comptroller's Department, as well as other appropriate matters, the following:

"1" Signature of the head of the department or other person responsible for incurring the expenditure.

"2. Appropriation number, account number and fund to be charged.

"3. Initials of the person ascertaining if there are funds available.

"4. Initials of the person auditing the claim.

"5. Number and date of warrant issued.

"6. Initials of the person comparing the claim and warrant.

"Article 4357. List of claims to be kept.—When claims and accounts are received, it shall be ascertained if there are funds available therefor; and the person making the examination shall indicate such fact by marking his initials upon such claim; and if there are no funds available, that fact shall be written or stamped upon such claim; and the same shall be held to await

the authority to issue a proper warrant therefor. No claims shall be paid from appropriations unless presented to the Comptroller for payment within two (2) years from the close of the fiscal year for which such appropriations were made, but any claims not presented for payment within such period may be presented to the Legislature as other claims for which no appropriations are available. When a claim has been audited and warrant drawn therefor, the claim shall be numbered with the same number as the warrant; and such claim shall be filed numerically according to class, "general," "special," "pension," respectively. There shall be kept an alphabetical index of claimants, either by filing the duplicate warrants in alphabetical order, or by such other method of indexing as may be found most advisable. After the expiration of two years, such claims shall be removed from the files and otherwise securely stored and preserved as records.

"Article 4358, Pay Warrants.—The Comptroller shall have printed uniform pay warrants, which shall be of three classes, "general," "special," and "pension." Such warrants shall be prepared in duplicate, and shall be marked "original" and "duplicate" respectively; and each class shall be serially numbered and shall be of a color of paper different from the other class. A separate series of numbers may be used for warrants issued for payrolls to be paid from the General Revenue Fund, and for warrants issued for claims to be paid from "highway" or other special funds, when the Comptroller deems such special series of numbers advisable. Such warrants shall be prepared so as to provide for entering thereon, in addition to other appropriate matter, the following:

"1. Initials of the person in the Comptroller's Department, comparing the warrant with the claim.

"2. Designation of the fund against which the warrant is drawn.

"3. Appropriation against which disbursement is to be charged.

"Article 4359. Pay warrant register.—The Comptroller shall provide a pay warrant register for each class of pay warrants, each volume of which shall be appropriately designated by class, number or otherwise. When a pay warrant is pre-

pared, it shall be registered in the pay warrant register for the class to which it belongs; and such registry shall consist of an entry of the amount of the warrant, name of the payee, appropriation to which charged, and such other information as may be deemed advisable by the Comptroller. If a warrant is erroneously prepared, lost or destroyed, such fact shall be noted in the register opposite the number of such warrant in the register. One person shall be designated by the Comptroller as Chief of the Claims Division and such person shall prepare or be responsible for the preparation of all pay warrants, and shall be accountable to the Comptroller for warrants coming into his possession. No warrant shall be prepared except on presentation to the Warrant Clerk of a properly auditing of which claim shall be evidenced by the initials written thereon by the person auditing the same; and such claim so verified and audited shall be sufficient and the only authority for the preparation of a warrant or warrants. When a warrant has been properly prepared such warrant shall be registered as herein provided, and shall be checked against the claim, and the warrant number shall be entered on the claim papers. The initials of the person checking the warrant with the claim shall be shown on both the warrant and the claim papers. When a warrant is properly prepared, it shall be, with the claim upon which it is based, passed to the Comptroller for his signature of such person as may be authorized by law to sign the same in his stead. Such warrant shall then be passed to the Treasurer's Department, together with a copy of the warrant register, and registered in the Treasurer's Department and signed by the State Treasurer, or some person authorized by law to sign for him, and returned to the Comptroller's Department. Such warrant shall then be delivered by the Comptroller to the person entitled to receive it; and he shall at his option take a receipt from such person therefor and file it in his office. The printed forms for these warrants shall be so prepared and arranged that the original and duplicate shall by the use of carbon sheets be prepared at one writing. The Comptroller shall also keep a

"warrants cancelled register" in which shall be entered the details of all warrants cancelled.

"Article 4363. Account by funds kept separate.—The Comptroller shall keep appropriate accounts by funds, showing a short description of the essential features of each, of each bond or of each purchase of similar or like bonds, or other securities purchased by and belonging to the permanent school and other funds of the State; each of which accounts shall be charged with the principal of such bond or purchase; and with each separate item of interest payments to accrue thereon, and shall be credited with payments as made. He shall also keep controlling or total accounts of such bonds or other securities; which accounts shall be kept with respect to the total amount of bonds, or other securities belonging to each separate fund; and also controlling accounts for interest to accrue on such bonds, to be set up at the beginning of each fiscal year, on bonds or other securities owned at that time, for interest to accrue for the fiscal year, and for interest on subsequent purchases during the year to be set up when such bonds or securities are purchased; each of which controlling accounts shall be balanced monthly and shall correspond with the like accounts kept by the State Treasurer.

"Article 4364. Ledgers. — The Comptroller shall maintain a double entry system of bookkeeping and shall keep such ledgers and accounts as may be necessary to show the sources of the State's revenues and the purposes for which expenditures are made, and shall provide proper accounting controls for the protection of the finances of the State.

"1. The Comptroller shall keep the following ledgers: State General Ledger, Tax Collectors Control Ledger, Tax Collectors Ledger for Cash Accounts, Tax Collectors Ledger for Current Year Assessments, Tax Collectors Ledger for Occupation Taxes, Tax Collectors Ledgers for Insolvent Taxes, Tax Collectors Ledger for Delinquent Taxes, Departmental Suspense Ledger, General Land Office Suspense Ledger, Bond Ledgers for State Owned Bonds, Securities Ledgers, Appropriation Ledgers, or other ledgers as may be found necessary.

"2. The Comptroller shall also keep supporting and analysis records as follows: General Journal, Deposit Warrant Registers, Pay Warrants Registers, Warrants Cancelled Register, Suspense Cash Book, Bond Authorization Register, Securities Register, Tax Collectors Journal, Tax Collectors Report Register, Occupation Tax Register, Revenue Analysis, Expense Analysis, or other records as may be found necessary.

"3. The State General Ledger shall contain controlling and fund accounts. All accounts in the General Ledger shall be kept on a double entry basis. All entries to the General Ledger shall be journalized and postings made from the General Journal. The following accounts shall be kept in the General Ledger; State Treasurer Cash Account, State Treasurer Bond Account, State Treasurer Securities in Trust, Warrants Payable, Departmental Suspense, General Land Office Suspense, Securities in Trust, Fund Accounts Showing Net Balances, separate account for each fund, Fund Accounts for Bonds Owned, separate account for each fund, or other accounts as may be found necessary.

"The accounts with the State Treasurer shall be charged with the cash on hand and in depository banks, and with all bonds and securities held for the funds of the State or in Trust. The Comptroller shall charge the State Treasurer in totals of all deposit warrants and deposit receipts as issued, and credit him with warrants paid, so that the balance in the Treasurer's hands, together with the balance in the State Depositories, shall agree with the balance shown by the accounts.

"Accounts shall be kept for the purpose of showing the amounts of outstanding pay warrants of each class, which shall be credited with the warrants issued and charged with the warrants paid so that the balances shall represent the aggregate amount of outstanding warrants.

"Accounts shall be kept for funds, a separate account for each fund, which shall be credited with deposit warrants and charged with pay warrants issued. Balances of such accounts shall represent balances in the funds after taking into consideration all warrants issued. Accounts shall also be kept showing

the bonds or securities owned by each fund.

"4. Revenue analysis.—A revenue analysis record shall be kept in which a distribution shall be made of the revenues derived by the State from all sources, and the amounts derived from each source. The sources of revenue received as represented by the deposit warrants issued therefor by the Comptroller shall be posted to this record.

"5. Expense analysis. An expense analysis record shall be kept in which a distribution shall be made of the disbursements made from State funds, which shall be classified by departments or institutions; by objects of expenditure; or other classifications as may be deemed advisable.

"6. Accounts of Tax Collectors. A ledger shall be kept which shall contain controlling accounts against which the individual accounts with Tax Collectors shall be balanced. This ledger shall be kept on a double entry basis; shall be self-balancing and shall be balanced at the close of each month. Individual accounts shall be kept with Tax Collectors which shall be charged with all amounts of taxes due the State, and which are to be collected by the Tax Collectors, or which have been collected by the Tax Collectors and have not been paid over to the State Treasurer; and credited with all payments, commissions, cancellations and other adjustments of such taxes allowed by law; which accounts shall be balanced monthly with the controlling accounts. Separate accounts shall be kept for current taxes and for delinquent taxes, or other accounts as may be necessary.

"7. Suspense ledger. A suspense ledger shall be kept in which the accounts of the State Treasurer shall be stated in respect to moneys held by him pending the issuance of deposit warrants and moneys and securities held other than those for State purposes, for all which the Comptroller shall issue deposit receipts, posting the same to this ledger. It shall also include the accounts with heads of departments for all moneys received by them and deposited with the State Treasurer in suspense.

"8. Appropriation ledgers. The Comptroller shall keep accounts with

all appropriations made by the Legislature, an account being kept for each appropriation, which shall be credited with the amount of the appropriation and charged with all pay warrants issued under the authority of appropriations. Each account shall show the law authorizing the appropriation. The total of all appropriations so credited shall be credited to a control accounts called "appropriations voted." The daily totals of the warrants issued shall be charged to this control account, so that the balance shall represent the amount of unused appropriations. The individual appropriation accounts shall be balanced monthly against the "appropriations voted" account. The heads of all State Departments, Institutions, Boards and Commissions or other officials or employees of the State who are or may be authorized to make purchases or incur any indebtedness to be paid from appropriated funds shall keep accounts for such appropriations as apply to their respective Departments, Institutions, Boards or Commissions, and shall balance such accounts monthly against the like accounts kept by the Comptroller.

Sec. 2. The fact that the present laws governing our system and procedure in connection with the handling of the work in the various divisions of the Department of the Comptroller of Public Accounts are inadequate and the further fact that much time is unnecessarily consumed in handling the work of the Department because of the procedure followed, create an emergency and an imperative public necessity which requires that the Constitutional Rule, providing that bills shall be read on three several days be suspended, and said Rule is hereby suspended and that the Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, May 16, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 518, A bill to be entitled "An Act to amend Article 6823 of the Revised Civil Statutes of Texas of 1925, and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed in the Journal but not otherwise.

WOODUL, Vice Chairman.

By Stevenson. H. B. No. 518.

A BILL

To Be Entitled

An Act to amend Article 6823 of the Revised Civil Statutes of Texas of 1925, and declaring an emergency. Be it enacted by the Legislature of the State of Texas:

Section 1. Article 6823 of the Revised Civil Statutes of Texas of 1925, is hereby amended so that the same shall hereafter read as follows:

Article 6823. Traveling Expenses. The traveling and other necessary penses incurred by the various officers, assistants, deputies, clerks and other employees in the various departments, institutions, boards, commissions, or other subdivision of the State Government, in the active discharge of their duties shall be such as are specifically fixed and appropriated by the Legislature in the general appropriation bills providing for the expenses of the State Government from year to year. When appropriations for traveling expenses are made, any allowances or payments to officials or employees for the use of privately owned automobiles shall be on a basis of actual mileage traveled for each trip or all trips covered by the expense accounts submitted for payment or allowance from such appropriations, and such payments or allowances shall be made at a rate not to exceed five (5) cents for each mile actually traveled, and no additional expense incident to the operation of such automobile shall be allowed.

Sec. 2. The fact that officials and employees of the State Government are receiving allowances for the use of privately owned automobiles based on various rates, some of which appear to be excessive, and that no uniform rate of allowance is specified in the statutes creates an emergency and an imperative public necessity requiring the suspension of the Constitutional Rule for the reading of bills on three several days in each House, and said rule is hereby suspended, and this Act shall take ef-

fect from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, May 16, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 519, A bill to be entitled "An Act to amend Article 821 of the Penal Code of the State of Texas, of 1925, and declaring an emergency.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed in the Journal, but not otherwise.

WOODUL, Vice Chairman.

By Stevenson. H. B. No. 519.

A BILL

To Be Entitled

An Act to amend Article 821 of the Penal Code of the State of Texas of 1925, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 821, of the Penal Code of Texas, 1925, be and the same is hereby amended so that the same shall hereafter read as follows:

"Art. 821. Inscription on State Vehicles. There shall be printed upon each side of every automobile, truck or other motor vehicle owned by the State of Texas, the word "Texas" followed in letters of not less than two (2) inches high by the title of the department, bureau, board, commission or official having the custody of such car, and such inscription shall be in a color sufficiently different from the body of the car so that the lettering shall be plainly eligible at a distance of not less than one hundred (100) feet, and the official having control thereof shall have such wording placed thereon as prescribed herein, and whoever drives any automobile, truck or other motor vehicle belonging to the State upon the streets of any town or city or upon a public highway without such inscription printed thereon shall be fined not less than Twenty-five Dollars (\$25.00) nor more than One hundred Dollars (\$100.00)."

Sec. 2. The fact that motor vehicles owned by the State of Texas are

being driven upon the streets of towns and cities and upon public highways with inscriptions so nearly the color of the body of the car that such inscriptions are visible for a very short distance, creates an emergency and an imperative public necessity requiring the suspension of the Constitutional Rule for the reading of bills on three several days in each House, and said Rule is hereby suspended, and this Act shall take effect from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, May 16, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 575, A bill to be entitled "An Act to require the officials of all counties, cities and towns, school districts and all other local units of government within the State, where taxes are levied and collected, to make such reports as may be required by the County Auditor, etc; and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed in the Journal but not otherwise.

WOODUL, Vice-Chairman.

By Stevenson. H. B. No. 575.

**A BILL
To Be Entitled**

An Act requiring the officials of all counties, cities and towns, school districts and all other local units of government within the State, where taxes are levied and collected, to make such reports as may be required by the County Auditor, if there be a County Auditor, and if not, then to the County Clerk, showing the amount of taxes collected, the amount of taxes delinquent, the amount of money on hand to the credit of sinking funds to retire bonded indebtedness, and the amount of outstanding bonded indebtedness. And to require the County Auditor, if there be a County Auditor, if not, then the County Clerk, to compile and forward to the State Auditor a complete report showing the total of the taxes collected within the County for all purposes, the total amount of delinquent taxes within

the County assessed for all purposes, the total amount of sinking fund on deposit to the credit of all outstanding bond issues, and the total outstanding bond issues and warrants of all units of government within the County; and to require the State Auditor to make a compiled report of such information; providing that if any portion of this law shall be held unconstitutional, that the remainder of the law shall remain in full force and effect; and providing penalties for violation or the failure of any official to comply with the provisions of this Act, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The County Auditor in each county, if there be a County Auditor, and if not, then the County Clerk of each county shall secure and compile during the month of September the following information from the county, cities and towns, school districts and all other local units of government within the county authorized to levy and collect taxes, or to issue bonds:

(a) The amount of taxes collected for all purposes during the previous fiscal year.

(b) The amount of taxes delinquent at the end of the previous fiscal year.

(c) The amount to the credit of sinking funds to retire bonded indebtedness at the end of the previous fiscal year.

(d) The amount of outstanding bonded indebtedness and outstanding warrants at the end of the previous fiscal year.

Sec. 2. The County Auditor, or in counties not having any County Auditor, the County Clerk is hereby authorized, empowered, and directed to require from various officials of the county, cities and towns, school districts and all other local units of government within the county authorized to levy and collect taxes, or to issue bonds, such reports as are necessary to enable him to compile the information set forth in Section 1 of this Act; and it shall be the duty of the County Auditor, if there be a County Auditor, and if not, then of the County Clerk, to send a request to the proper officials for such information between the 1st and 15th days of September of each year, and officials to whom such requests are sent, are required to furnish the information requested on

or before September 30th of each year.

Sec. 3. When this information is received, it shall be the duty of the County Auditor, if there be a County Auditor, and if not, then of the County Clerk, to maintain a file in his office to be open to the inspection of any taxpayer, of all reports submitted to him in compliance with the provisions of this Act. And it shall also be the duty of the County Auditor, if there be one, if not, the County Clerk, to make a compiled report covering the county at large showing the total outstanding bonded indebtedness and outstanding warrants within the county, the total moneys then on deposit to the credit of sinking funds within the county to retire outstanding bonded indebtedness, the total amount of taxes collected for all purposes within the county, and the total amount of taxes delinquent at the end of the fiscal year within the county assessed for all purposes. This report shall be compiled by the County Auditor, if there be a County Auditor, if not, then by the County Clerk, and such County Auditor or County Clerk, as the case may be, shall forward such report to the State Auditor at Austin not later than October 15th of each year.

Sec. 4. The State Auditor shall, upon receipt of the information called for in this Act from the various County Auditors, or County Clerks throughout the State, prepare a compiled report for the State at large—which report shall furnish the following information for each county in the State:

(a) The amount of taxes collected for all purposes during the previous fiscal year by the county and all government divisions thereof.

(b) The total amount of taxes levied for all purposes due the county, as well as the amounts due all governmental subdivisions within the county, delinquent at the close of the previous fiscal year.

(c) The total amount accumulated at the end of the previous fiscal year to the credit of sinking funds set aside to retire bonds heretofore issued by the county and by any and all governmental subdivisions within the county.

(d) The total amount of all outstanding bonded indebtedness and outstanding warrants of the county and all governmental subdivisions thereof, at the end of the previous fiscal year.

(e) The grand total of each of the above items for the State at large.

Sec. 5. Any officer of any unit of government within the county, who shall fail, neglect or refuse to furnish the information required to be furnished by him under the provisions of this Act, when requested as herein provided, shall be guilty of a misdemeanor and upon conviction thereof, shall be fined in any sum not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail for a period of not less than one (1) month, nor more than twelve (12) months, or by both such fine and imprisonment.

Sec. 6. In case of the failure of any official of any unit of government in the State to furnish the above referred to reports to the County Auditor, or to the County Clerk as the case may be, within the time specified by this Act, it shall be the duty of the County Auditor, or the County Clerk, to give official notice to the County Attorney of the proper county, of the failure of such official to comply with the provisions of this Act, and it shall be the duty of the County Attorney to immediately instigate proceedings for the punishment of such official.

Sec. 7. Reports called for herein are in addition to reports already required by law, and no additional compensation shall be paid to any official of the county or State for the compilation of such reports.

Sec. 8. The fact that the information called for herein is not now available in compiled form in any county in the State or in the State at large and the further fact that such information is absolutely essential for proper consideration of economic problems of the State and of the various counties of the State, create an emergency and an imperative public necessity that the Constitutional Rule requiring that bills be read on three several days in each House and the further Constitutional Rule as to the time when laws take effect be suspended and each of them is hereby suspended and this Act shall take effect and be in force from and after its passage.

Committee Room,
Austin, Texas, May 16, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 58, A bill to be entitled "An Act to provide for the investment of permanent funds of the Texas School for the Blind, Texas School for the Deaf, Austin State Hospital, State Orphans Home and other permanent funds the investment of which is not otherwise provided for and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed in the Journal but not otherwise.

WOODUL, Vice Chairman.

By Stevenson. H. B. No. 588

A BILL
To Be Entitled

An Act to provide for the investment of the permanent funds of the Texas School for the Blind, Texas School for the Deaf, Austin State Hospital, State Orphans Home and other permanent funds the investment of which is not otherwise provided for, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The State Depository Board is hereby authorized and empowered to invest the permanent funds of the Texas School for the Blind, Texas School for the Deaf, Austin State Hospital, State Orphans Home and any other permanent funds the investment of which is not otherwise provided for, whenever such permanent funds shall have as much as One Thousand Dollars (\$1,000.00) of funds on deposit with the State Treasurer which are not invested, and it is hereby made the duty of the State Depository Board to invest such funds in the same class of bonds as are authorized for investment of the Permanent School Fund.

Sec. 2. The fact that large balances of funds belonging to the permanent funds of institutions of the State are on deposit with the

State Treasurer and no one is specifically charged with the duty of investing such funds, and that interest is being lost because of the failure to invest such funds creates an emergency and an imperative public necessity requiring the suspension of the Constitutional Rule for the reading of bills on three several days in each House, and said Rule is hereby suspended, and this Act shall take effect from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, May 16, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 520, A bill to be entitled "An Act providing for the making of daily reports of the use of State owned automobiles and trucks; prescribing rules and regulations and defining certain offenses; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed in the Journal but not otherwise.

WOODUL, Vice-Chairman.

H. B. No. 521.

A BILL
To Be Entitled

An Act providing for the making of daily reports of the use of State owned automobiles and trucks; prescribing rules and regulations and defining certain offenses; and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. Whoever uses an automobile or truck owned by this State for any purpose shall make a written report of such use to the Head of the Department, Institution, Board, Commission, or other Agency of this State having charge of such automobile or truck, such reports to be made daily when such vehicles are in use, a separate report being made for each day, and such reports shall be made on forms prescribed by the State Auditor. Such reports shall show the purpose for which such vehicle was used, the mileage traveled, the amounts of gasoline and oil consumed, the passengers carried, and such other in-

formation as may be necessary to provide a proper record or the use of such vehicle. Said reports shall be official records of the State and shall be subject to inspection by any official of this State who shall be authorized to audit or inspect claims, accounts or records of any State Department, Institution, Board, Commission or Agency of the State.

Sec. 2. Penalty for failure to make reports. Whoever uses any automobile or truck owned by this State for any purposes, and fails to make and file a report of such use as required by this Act within ten (10) days after the use of said automobile or truck shall be fined not less than Five Dollars (\$5.00) (nor more than One Hundred Dollars (\$100.00)).

Sec. 3. Penalty for making false report. Whoever uses any automobile or truck owned by this State for any purpose, and makes a false or fraudulent report of such use shall be fined not less than Five Dollars (\$5.00) nor more than One Hundred Dollars (\$100.00).

Sec. 4. The fact that no reports are required of the use of State owned automobiles and trucks under the present statutes, and that no proper records are kept of such use, and that large amounts of money are expended annually for the operation and repair of such equipment creates an emergency and an imperative public necessity for the suspension of the Constitutional Rule requiring the reading of bills on three several days in each House, and said Rule is hereby suspended, and this Act shall take effect from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, May 15, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 1055, A bill to be entitled "An Act authorizing Commissioners' Court in any county having a population of not less than ten thousand and one hundred thirty-five (10,135) and not more than ten thousand one hundred forty-five (10,145) according to the last preceding United States Census, and having an area of not less than three thousand (3,000) square miles to allow the County

Judge and each County Commissioner certain expenses for traveling and in connection with the use of his automobile on official business; requiring each such Judge and Commissioner to pay the expenses of operation and repair of each automobile used by him without further expense to the county, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed in the Journal but not otherwise.

POAGE, Chairman.

By Satterwhite. H. B. No. 1055.

A BILL

To Be Entitled

An Act authorizing the Commissioners' Court in any county having a population of not less than ten thousand one hundred thirty-five (10,135) and not more than ten thousand one hundred forty-five (10,145) according to the last preceding United States Census and having an area of not less than three thousand (3,000) square miles to allow the County Judge of each County Commissioner certain expenses for traveling and in connection with the use of his automobile on official business; requiring each such Judge and Commissioner to pay the expenses of operation and repair of each automobile used by him without further expense to the county; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. In any county in this State having a population of not less than ten thousand one hundred thirty-five (10,135) and not more than ten thousand one hundred forty-five (10,145) according to the last preceding United States Census, and having an area of not less than three thousand (3,000) square miles, the Commissioners' Court is hereby authorized to allow the County Judge and each Commissioner the sum of not more than six (6) cents per mile for traveling expenses and depreciation on his automobile while same is used and operated by him on official business for the county. Each such Judge and Commissioner shall pay all expenses in the opera-

tion of such automobile and keep same in repair free of any other charge to the county.

Sec. 2. The fact that in the class of counties affected by this Act there is a great need that the county pay the expenses of the County Judge and Commissioners as provided for in this Act on account of the extremely large area of the counties and Commissioners' Precincts therein, thus increasing the total mileage of roads in such counties and Commissioners' Precincts therein must be work and inspected by the officials named herein, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended and that this Act take effect and be in force from and after its passage, and said Rule is hereby suspended, and it is so enacted.

SEVENTY-FIRST DAY.

Senate Chamber,
Austin, Texas,
May 18, 1931.

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

| | |
|-------------|-------------|
| Beck. | Oneal. |
| Berkeley. | Parr. |
| Cousins. | Parrish. |
| Cunningham. | Patton. |
| DeBerry. | Poage. |
| Gainer. | Pollard. |
| Greer. | Purl. |
| Hardin. | Rawlings. |
| Holbrook. | Russek. |
| Hopkins. | Small. |
| Hornsby. | Stevenson. |
| Loy. | Thomason. |
| Martin. | Williamson. |
| Moore. | Woodul. |
| Neal. | Woodward. |

Absent—Excused.

Woodruff.

Prayer by Rev. Holt, Chaplain of the House.

Pending the reading of the Journal of yesterday, the same was dis-

pensed with on motion of Senator Williamson.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Senator Excused.

On motion of Senator Poage, Senator Woodruff was excused for the morning on account of important business.

Messages from the House.

Hall of the House of Representatives,
Austin, Texas, May 18, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the Free Conference Committee Report on S. B. No. 83 by a viva voce vote.

The House has concurred in Senate Amendments to H. B. No. 550 by a viva voce vote.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, May 18, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill and resolution:

H. B. No. 805, A bill to be entitled "An Act making appropriations to pay miscellaneous claims against the State of Texas, and authorizing payment of said miscellaneous items to taking effect of this Act, and declaring an emergency."

H. C. R. No. 66, Relative to the policy of using American made materials in certain instances.

The House has granted the request of the Senate for the appointment of a Conference Committee to consider the differences between the two Houses on Senate Bill No. 31. The following are conferees on the part of the House:

Johnson of Dimmit, Holland, Graves, Adamson, and De-Wolfe.

The House has granted the request of the Senate for the appointment of a Conference Committee to